BILL NO. S-88-12-38

SPECIAL ORDINANCE NO. S-13-89

AN ORDINANCE approving the awarding of Reference #858 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Marblehead Lime Company and Gerig's Trucking & Leasing, Inc. for the Water Filtration Plant.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #858 between the City of Fort Wayne, by and through its Department of Purchasing and Marblehead Lime Company and Gerig's Trucking & Leasing, Inc. for the Water Filtration Plant, respectfully for:

> the purchase of pebble lime for the treatment of drinking water for the Water Filtration Plant for 1989;

involving a total cost of Seven Hundred Seventy-Five Thousand Five Hundred and no/100 Dollars ($775,500.00), all as more particularly set forth in said Reference #858 which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Councilmember

APPROVED AS TO FORM
AND LEGALITY

J. Timothy McCaulay, City Attorney

REFERENCE NO. 858
FILTRATION PLANT
PEBBLE LIME

DESCRIPTION	MISSISSIPPI	MARBLEHEAD	DETROIT LIME	GERIG
LIME/TON	$35.60	$42.00	$44.25	N/B
FREIGHT/TRUCK	$19.50	$13.00	$13.64	$13.00
DEMURRAGE	$18.00 HR	NONE	$18.00 HR	NONE

INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET-ROOM 350
PHONE 219-427-1101

BID OPENING DATE 11-22-88 @ 11:00 AM BID REFERENCE # 858

BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 AM, ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 AM IN THE BOARD OF WORKS AND SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 AM FOR ANY REASON WHATSOEVER."

THIS INVITATION FOR BID IS FOR 1989 requirements for Pebble Lime and/or shipping costs of same

AND REQUESTED BY Three Rivers Filtration Plant

PLEASE RETURN THIS FORM AND/OR ANY OF THE OTHER FORMS AS REQUESTED AND HI-LIGHTED ON THE SHEET OF CONTENTS WITH YOUR SEALED BID.

THIS BID REQUIRES A X 5% BID BOND OF ALL BIDDERS.
THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: zero %
IF PAID WITHIN ----- DAYS.

THE CITY OF FORT WAYNE IS EXEMPT FROM FEDERAL EXCISE AND INDIANA STATE SALES TAX. THE CITY'S INDIANA SALES TAX EXEMPTION CERTIFICATE NUMBER IS 356-001-255 0013, PRICES SHOULD NOT INCLUDE THESE TAXES.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME Marblehead Lime Company
STREET ADDRESS 222 N. LaSalle St.
CITY Chicago, IL 60601
BY Robert T Bianchi PHONE (800) 621-215
REPRESENTATIVE SIGNATURE
Robert T. Bianchi
Vice President of Sales

COST FOR PRODUCT AND COST FOR SHIPPING

MUST BE BID SEPARATELY

PRICE PER TON OF PEBBLE LIME ONLY		$ 42.00
FREIGHT COST PER TON:		
BY TRUCK	Via Gerig Trucking	$ 13.00
DEMURRAGE COST		$ NONE
FREIGHT COST PER TON:		
BY RAIL		$ ----
DEMURRAGE COST		$ ----
DELIVERY TIME A.R.O.		24 Hours

PRICES TO BE FIRM THRU DECEMBER 31, 1989: YES

SCHEDULE

The contractor agrees to furnish at his/her/its own cost all labor, insurance, materials, equipment, and power for the completed delivery of the supplies.

All supplies and deliveries of supplies will be in accordance with: the IFB, this contract and any applicable plans, specifications, and drawings for a TOTAL PRICE of $_____. (If unit prices are applicable, the contractor agrees to perform for those unit prices as set forth in the Schedule of Unit Prices attached hereto.) The supplies shall be delivered as follows:

Deliver High Calcium Pebble Quicklime to the Water Filtration Plant as requested.

_____ 2. Liquidated Damages Provision. (This clause shall be applicable to this contract only if the box contains a checkmark or "X".)

It is hereby agreed by and between the City of Fort Wayne and contractor that time is of the essence of this agreement, and the contractor agrees that it will deliver the supplies as herein called for on or before the times spelled out in the contract. The parties agree that it is a business and governmental necessity that the supplies be delivered by these dates. The parties agree that in the event the supplies are not delivered by these dates, that it will be difficult or impossible to make an accurate determination of the damages that will be incurred by the City of Fort Wayne, and therefore provide for liquidated damages in the sum of $_____ per day as a reasonable estimate as to the damages which would be incurred by the City of Fort Wayne. The parties further agree that causes beyond the control of the contractor may delay delivery of supplies. Therefore, the parties agree that delays in the dates for delivery of supplies beyond the control of the contractor shall not result in liquidated damages.

Delays beyond the control of the contractor can include but are not restricted to: Acts of God or of the public enemy, acts of the United States Government, State of Indiana Government and City of Fort Wayne in either its sovereign or contractual capacity, fires, floods, epidemics, guarantee restrictions, strikes, freight embargoes, and unusually severe weather; but, in every case, the failure to perform must be beyond control and without the fault or negligence of the contractor. If the

Marblehead Lime Company
A General Dynamics Company

222 North LaSalle Street
Chicago, Illinois 60601
312/263-4490

November 10, 1988

CITY OF FORT WAYNE

RE: Bid No. 858

To Whom It May Concern:

The Marblehead Lime Company is not a Minority Business Enterprise or Women Business Enterprise, therefore the only M.B.E. and W.B.E. Participation in this contract could be the transportation of lime from our plant to your water treatment plant.

The lime would be shipped from our River Rouge, Michigan Plant and the present transportation companies that we use are not M.B.E. or W.B.E. either. It is very critical that we have ready access to these carriers since your demand for lime requires us to deliver rather promptly.

So a carrier in the immediate vicinity of our plant is very, very critical. Also the loading and delivery of lime via hopper truck requires a great deal of experience and knowledge of the product by the driver.

Since these carriers have been hauling lime for us for many years they can offer a prompt, courteous, and efficient delivery. We know of no M.B.E. or W.B.E. trucking companies conveniently located to our plant that can offer the above capabilities.

We are continuing the search for a M.B.E. and W.B.E. transportation company that can satisfy your delivery requirements at a competitive rate.

We would appreciate your assistance in securing a M.B.E. or W.B.E. trucking company.

Sincerely,

MARBLEHEAD LIME COMPANY

Robert J. Brandt
Manager, Inside Sales

RJB/dmz

X

E. Complete (1.) and (2.) below if participation goals of 7% MBE and 2% WBE have not been met.

1. My Company cannot meet the participation goals for the following reasons:_____

_____

_____

_____

2. We have taken the following steps in an attempt to comply with these participation goals:_____

_____

_____

_____

_____

(Attach additional sheets as necessary.)

Contractor: Marblehead Lime Company

By: Robert T. Bianchi

Robert T. Bianchi

Its: Vice President of Sales

Contractor:_____

By:_____

Its:_____

ATTACHMENT C

CERTIFICATION OF BIDDER/VENDOR

The undersigned, on behalf of The Marblehead Lime Company _____, does hereby make the following representations to the City of Fort Wayne, Indiana.

WHEREAS, it is acknowledged that the Common Council of the City of Fort Wayne, Indiana, has passed an ordinance condemning the apartheid policies of the country of South Africa;

WHEREAS, Council's ordinance requires that all persons, firms or corporations submitting bids to the City, for goods and services, certify, as part of the bid, that such entity does not support the policies of apartheid in South Africa.

The undersigned states, on behalf of The Marblehead Lime Company _____, that it does not support or endorse the policy of apartheid in South Africa.

IN WITNESS WHEREOF, this Certification has been signed this 15th day of November, 1988.

MARBLEHEAD LIME COMPANY
(Name of Bidder/Vendor)

Robert T. Bianchi
(Name and Title of Person Signing)

Robert T. Bianchi
Vice President of Sales

ATTACHMENT D CONTINUED

CITY OF FORT WAYNE
AFFIRMATIVE ACTION PROGRAM

Name of Company MARBLEHEAD LIME COMPANY

Address 25 MARION ST. City RIVER ROUGE, MI

Zip 48218 Phone 313-841-4750

Identify by title and name the highest official within the facility who has the overall responsibility for the implementation of the Equal Employment Opportunity and Affirmative Action Program.

EDWARD K. WILDERDING (PLEASE PRINT) Title DIRECTOR OF EEO PROGRAMS

Date 11/8/88 Signature Edward K. Wilderding

1. Does your firm have a written Affirmative Action Program? ✓ Yes _____ No

   A. If so, and it contains answers to the questions asked in this program, attach a copy and sign the Written Statement of Company Policy.

   B. If not, do you accept the following program in meeting the requirements of the City of Fort Wayne? _____ Yes _____ No

PLEASE KEEP IN MIND THAT FAILURE TO COMPLETE ALL SECTIONS OF THIS DOCUMENT WILL RESULT IN YOUR PROGRAM BEING REJECTED.

2. Will your firm make every effort to increase employment of minorities at all levels of its workforce with particular emphasis to categories where few, if any, minority people are employed? ✓ Yes _____ No

3. Current number of employees 43

   Number of employees as of October 1987 _____ January 1988 _____ April 1988 _____ and July 1988 _____ OCTOBER 1988 ✓.

4. Workforce Analysis:

JOB CLASSIFICATION	WAGE RATE OR SALARY RANGE	TOTAL	EMPLOYEES BY RACE/ETHNICITY/SEX								
			W		BLK		H		OTHER		(DESIGNATE)
			M	F	M	F	M	F	M	F	
OFFICIALS + MANAGERS		5	4		1						
TECHNICIANS		1	1								
OFFICE + CLERICALS		3	1	2							
SKILLED		15	12		3						
SEMI-SKILLED		13	11		2						
LABORER		6	2		4						
TOTAL		43	3	2	10						

Handicapped: _____ Yes ✓ No List Number _____

B – Black (not of Hispanic Origin) H – Hispanic (all persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture of origin) AI.AN – American Indian or Alaskan

5. If total minority employment is less than 20% give reasons why. (Do not include Females when you figure minority employment percentages.) _____

6. List minority recruitment sources: MICHIGAN JOB SERVICE

7. Does your company anticipate an increase in employment this year? ____ Yes ✓ No
Approximately how many ? _____

8. What specific goals can you achieve for the employment of minorities during 1987–88?

A. Officials and Managers _____ %
B. Professionals _____ %
C. Technicians _____ %
D. Sales Workers _____ %
E. Office and Clerical _____ %
F. Skilled Craftsmen _____ %
G. Other _____ %

WE DO NOT ANTICIPATE ANY OPENINGS.

9. WRITTEN STATEMENT OF COMPANY POLICY

It is the policy of MARBLEHEAD LIME COMPANY that Equal Employment Opportunity be afforded to all qualified persons without regard to race, sex, religion, color or national origin. In support of this policy MARBLEHEAD LIME COMPANY will not discriminate against any employee or applicant for employment because of race, religion, sex or national origin. The COMPANY will take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to their race, religion, color, sex or national origin. Such action will include but not be limited to: recruitment, advertising or solicitation for employment hiring, placement, upgrading, transfer or demotion, selection for training including apprenticeship rates of pay or other forms of compensation, layoffs or termination.

MARBLEHEAD LIME COMPANY — 11/18/88
Name of Company or Firm — Date

Robert T. Bianchi
Signature of Highest Company Official

Robert T. Bianchi - Vice President of Sales
Name and Title of Signer (Please type or Print)

ATTACHMENT D CONTINUED

STATISTICAL INFORMATION
FOR
AFFIRMATIVE ACTION/CONTRACT COMPLIANCE

MARBLEHEAD LIME COMPANY
Name of ~~Contractor or~~ Supplier

EDWARD K. WILKERDING
(Information Given By)

35 MARION ST. RIVER ROUGE MI 313-841-4751
Address And Telephone Number

SAME
(Person Fillin Out This Form And Date)

EEOC CATEGORY	EMPLOYEES BY RACE/ETHNICITY/SEX									HANDICAPPED EMPLOYEES										TOTAL EMPL
	W		BLK		H		Other		(Designate)	W		BLK		H		Other		(Designate)	
	M	F	M	F	M	F	M	F		M	F	M	F	M	F	M	F		
1. OFFICAL & ADMINISTRATORS	4		1																~~5~~
2. PROFESSIONALS																			0
3. TECHNICIANS	1																		1
4 OPERATIVES	11		2																13
5. LABORER	2		4																6
6. OFFICE AND CLERICAL	1	2																	3
7. SKILLED CRAFT WORKERS	12		3																15
8. SERVICE-MAINTENANCE WORKERS																			
9. SALES WORKERS																			0
TOTALS	31	2	10																43
PERCENTAGES	72	5	23																100

Technical Data

Typical Analysis

Elements	Formula	Percent
Silicon Dioxide	SiO_2	1.20
Iron Oxide	Fe_2O_3	0.41
Aluminum Oxide	Al_2O_3	0.61
Calcium Oxide	CaO	95.02
Magnesium Oxide	MgO	1.50
Sulphur	S	0.035
Phosphorus Pentoxide	P_2O_5	0.017
Manganese	Mn	0.028
Titanium Dioxide	TiO_2	0.02

Other tests

Loss on Ignition	LOI	1.16
Available Calcium Oxide		93.0
Residue on Slaking		Less than 2.0
Reactivity	ASTM/AWWA	46°C Rise in 3 minutes
Bulk Density	70 lbs./cu. ft. settled 50 lbs./cu. ft. loose	
Screen Analysis	#20 sieve	100.0 passing
	#150 sieve	90.0 passing

This product meets or exceeds the specifications of the American Society for Testing and Materials.

Marblehead Lime Company
A General Dynamics Company
222 North LaSalle Street
Chicago, Illinois 60601
312/263-4490

Marblehead plants are located at Buffington, IN, Chicago, IL, Thornton, IL, Detroit, MI, River Rouge, MI, Pleasant Gap, PA, and Tooele, UT

Lime...the versatile chemical

Prescribed by the State Board of Accounts

Form No. 95 (Revised 1987)

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

Date: November 15, 1988

1. Governmental Unit: City of Ft. Wayne
2. County: Allen
3. Bidder (Firm): MARBLEHEAD LIME COMPANY
   Address: 222 North LaSalle Street
   City/State: Chicago, IL 60601
4. Telephone Number: (800) 621-2154 or (312) 263-4490
5. Agent of Bidder (If applicable): ----

Pursuant to notices given, the undersigned offers bid(s) to City of Ft. Wayne Water Filtration Plnt (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

Robert T. Bianchi
Signature of Bidder or Agent
Robert T. Bianchi

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount

NON-COLLUSION AFFIDAVIT

STATE OF ILLINOIS)
) SS:
Cook COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

MARBLEHEAD LIME COMPANY
Bidder (Firm)
Robert T. Bianchi
Signature of Bidder or Agent

Subscribed and sworn to before me this 14th day of Nov., 1988.

My Commission Expires: June 23, 1991

County of Residence: Cook

Robert James Brandt
Notary Public

OFFICIAL SEAL
ROBERT J. BRANDT
NOTARY PUBLIC STATE OF ILLINOIS

Robert James Brandt
Notary Public Printed Name

INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET-ROOM 350
PHONE 219-427-1101

BID OPENING DATE 11-22-88 @ 11:00 AM BID REFERENCE # 858

BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 AM, ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 AM IN THE BOARD OF WORKS AND SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 AM FOR ANY REASON WHATSOEVER."

THIS INVITATION FOR BID IS FOR 1989 requirements for Pebble Lime and/or shipping costs of same
AND REQUESTED BY Three Rivers Filtration Plant

PLEASE RETURN THIS FORM AND/OR ANY OF THE OTHER FORMS AS REQUESTED AND HI-LIGHTED ON THE SHEET OF CONTENTS WITH YOUR SEALED BID.

THIS BID REQUIRES A X 5% BID BOND OF ALL BIDDERS.
THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: _____ %
IF PAID WITHIN _____ DAYS.

THE CITY OF FORT WAYNE IS EXEMPT FROM FEDERAL EXCISE AND INDIANA STATE SALES TAX. THE CITY'S INDIANA SALES TAX EXEMPTION CERTIFICATE NUMBER IS 356-001-255 0013, PRICES SHOULD NOT INCLUDE THESE TAXES.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME GERIGS TRUCKING & LEASING INC.
STREET ADDRESS 3904 LIMESTONE DR.
CITY FT. WAYNE
BY Terry J. Gerigs PHONE 747-2725
REPRESENTATIVE SIGNATURE

GERIG'S TRUCKING & LEASING, INC.

3909 LIMESTONE DRIVE
FORT WAYNE, INDIANA 46809
(219) 747-2725

LARRY GERIG
President

November 25, 1988

City Of Fort Wayne
% Dottie Hanneman
Assistant Purchasing Director
One Main Street, Room 350
Fort Wayne, IN 46802

RE: No 858 - Bid for transportation of Pebble Lime

This is to clarify subject bid. Your bid packet did not, nor did we, specify pick up points for the pebble lime. Our bid was based on loading pebble lime at either Detroit, MI or Chicago, IL and making delivery to the Fort Wayne Water Filtration Plant.

On future bids we will include clarification of loading and unloading points.

Sincerely,

Kerry J. French

GERIG'S TRUCKING & LEASING, INC.
Kerry French, Vice President of Operations

mlh

RECEIVED
1988 NOV 28 AM 11:47
PURCHASING

SCHEDULE

The contractor agrees to furnish at his/her/its own cost all labor, insurance, materials, equipment, and power for the completed delivery of the supplies.

All supplies and deliveries of supplies will be in accordance with: the IFB, this contract and any applicable plans, specifications, and drawings for a TOTAL PRICE of $ 13.00 PER TON. (If unit prices are applicable, the contractor agrees to perform for those unit prices as set forth in the Schedule of Unit Prices attached hereto.) The supplies shall be delivered as follows: BY TRUCK & BOTTOM HOPPER TRAILERS AS NEEDED BY THE CITY OF FT. WAYNE

/X/ 2. Liquidated Damages Provision. (This clause shall be applicable to this contract only if the box contains a checkmark or "X".)

It is hereby agreed by and between the City of Fort Wayne and contractor that time is of the essence of this agreement, and the contractor agrees that it will deliver the supplies as herein called for on or before the times spelled out in the contract. The parties agree that it is a business and governmental necessity that the supplies be delivered by these dates. The parties agree that in the event the supplies are not delivered by these dates, that it will be difficult or impossible to make an accurate determination of the damages that will be incurred by the City of Fort Wayne, and therefore provide for liquidated damages in the sum of $ _____ per day as a reasonable estimate as to the damages which would be incurred by the City of Fort Wayne. The parties further agree that causes beyond the control of the contractor may delay delivery of supplies. Therefore, the parties agree that delays in the dates for delivery of supplies beyond the control of the contractor shall not result in liquidated damages.

Delays beyond the control of the contractor can include but are not restricted to: Acts of God or of the public enemy, acts of the United States Government, State of Indiana Government and City of Fort Wayne in either its sovereign or contractual capacity, fires, floods, epidemics, guarantee restrictions, strikes, freight embargoes, and unusually severe weather; but, in every case, the failure to perform must be beyond control and without the fault or negligence of the contractor. If the

ATTACHMENT D CONTINUED

CITY OF FORT WAYNE
AFFIRMATIVE ACTION PROGRAM

Name of Company GERIG'S TRUCKING & LEASING, INC.

Address 3909 Limestone Drive **City** Fort Wayne, Indiana

Zip 46809 **Phone** (219) 747-2725

Identify by title and name the highest official within the facility who has the overall responsibility for the implementation of the Equal Employment Opportunity and Affirmative Action Program.

Kerry J. French — PLEASE PRINT

Vice President of Operations — Title

Date 11-8-88 **Signature** Kerry J. French

1. Does your firm have a written Affirmative Action Program? ____ Yes X No

   A. If so, and it contains answers to the questions asked in this program, attach a copy and sign the Written Statement of Company Policy.

   B. If not, do you accept the following program in meeting the requirements of the City of Fort Wayne? X Yes ____ No

PLEASE KEEP IN MIND THAT FAILURE TO COMPLETE ALL SECTIONS OF THIS DOCUMENT WILL RESULT IN YOUR PROGRAM BEING REJECTED.

2. Will your firm make every effort to increase employment of minorities at all levels of its workforce with particular emphasis to categories where few, if any, minority people are employed? X Yes ____ No

3. Current number of employees 25
   Number of employees as of October 1987 28 January 1988 26 April 1988 26 and July 1988 27

4. Workforce Analysis:

JOB CLASSIFICATION	WAGE RATE OR SALARY RANGE	TOTAL	EMPLOYEES BY RACE/ETHNICITY/SEX								
			W		BLK		H		OTHER		(DESIGNATE)
			M	F	M	F	M	F	M	F	
Mechanics	$9.00-$12/hour	7	6		1						
Drivers	.21¢/mile	14	7	3	4						
Office	$20,000-$30,000/yr	4	3	1							

Handicapped: X Yes ____ No

List Number One

B – Black (not of Hispanic Origin) H – Hispanic (all persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture of origin) AI.AN – American Indian or Alaskan

ATTACHMENT D CONTINUED

STATISTICAL INFORMATION
FOR
AFFIRMATIVE ACTION/CONTRACT COMPLIANCE

GERIG'S TRUCKING & LEASING, INC.
Name of Contractor or Supplier

Kerry J. French
(Information Given By)

3909 Limestone Dr, Ft. Wayne, IN (219) 747-2725
Address And Telephone Number

Kerry French
(Person Filling Out This Form And Date)

EEOC CATEGORY	EMPLOYEES BY RACE/ETHNICITY/SEX									HANDICAPPED EMPLOYEES									TOTAL EMPLOYEES
	W		BLK		H		Other			W		BLK		H		Other			
	M	F	M	F	M	F	M	F	(Designate)	M	F	M	F	M	F	M	F	(Designate)	
1. OFFICALS & ADMINISTRATORS																			
2. PROFESSIONALS	3																		3
3. TECHNICIANS																			
4. OPERATIVES																			
5. LABORER - Drivers	7	3	4																14
6. OFFICE AND CLERICAL		1																	1
7. SKILLED CRAFT WORKERS Mechanics	5		1							1									7
8. SERVICE-MAINTENANCE WORKERS																			
9. SALES WORKERS																			
TOTALS	15	4	5							1									25
PERCENTAGES	60	16	20							4									100

ATTACHMENT E

CERTIFICATION OF NON-SEGREGATED FACILITIES

Each Bidder is required to file a fully executed Certificate of Non-Segregated Facilities once a year.

CERTIFICATION OF NON-SEGREGATED FACILITIES

The Bidder certifies that he does not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The Bidder certifies further that he will not maintain or provide for his employees any segregated facilities at any of his establishments and that he will not permit his employees to perform their services at any location under his control where segregated facilities are maintained. The Bidder agrees that a breach of this certification will be a violation of the Equal Opportunity clause in any contract resulting from acceptance of this bid. As used in this certification, the term "segregated facilities" means any waiting room, work area, restrooms and washrooms, restaurant or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, or national origin, because of habit, local custom, or otherwise. The Bidder agrees that (except where the Bidder has obtained identical certification from proposed subcontractors for specific time periods) he will obtain identical certification from proposed subcontractors prior to the award of subcontracts exceeding $10,000 which are not exempt from the provisions of the Equal Opportunity clause and that he will retain such certifications in his files.

NOTE: THE PENALTY FOR MAKING FALSE STATEMENTS IN OFFERS IS PRESCRIBED IN 18 U.S.C. 1001.

Date: 11-14, 19 93

GERIG'S TRUCKING & LEASING, INC.
Name of Bidder

By: Kerry J. French

Title: Vice Presient of Operations

Official Address: (including zip code)

3909 Limestone Drive

Fort Wayne, IN 46809

ATTACHMENT C

CERTIFICATION OF BIDDER/VENDOR

The undersigned, on behalf of GERIG'S TRUCKING & LEASING, INC., does hereby make the following representations to the City of Fort Wayne, Indiana.

WHEREAS, it is acknowledged that the Common Council of the City of Fort Wayne, Indiana, has passed an ordinance condemning the apartheid policies of the country of South Africa;

WHEREAS, Council's ordinance requires that all persons, firms or corporations submitting bids to the City, for goods and services, certify, as part of the bid, that such entity does not support the policies of apartheid in South Africa.

The undersigned states, on behalf of GERIG'S TRUCKING & LEASING, INC., that Kerry J. French Kerry J. French does not support or endorse the policy of apartheid in South Africa.

IN WITNESS WHEREOF, this Certification has been signed this 14TH day of NOV., 1989.

GERIG'S TRUCKING & LEASING, INC.
(Name of Bidder/Vendor)

Kerry J. French-Vice President of Operations
(Name and Title of Person Signing)

ATTACHMENT A

MBE/WBE COMMITMENT FORM

THE FOLLOWING IS THE UNDERSIGNED'S COMMITMENT TO THE MBE/WBE GOALS OF THE CITY FOR WORK DONE PURSUANT TO THIS CONTRACT:

A._____ The undersigned firm certifies that it is an MBE/WBE Contractor (cross out inapplicable provision).

For MBE specify percentage of minority ownership _____%.

For WBE specify percentage of women ownership _____%.

B._____ The undersigned certifies that they are a joint venture in which the following (MBE/WBE) firm _____ (cross out inapplicable provision) is a joint venture partner.

The MBE/WBE firm (cross out inapplicable provision), shall have _____% participation (employees) _____% participation (costs) in this project.

Specify the percentage of minority/women ownership in the MBE/WBE firm ____%. (Cross out inapplicable provision.)

C. The undersigned commits _____% of the total bid price as a subcontract to minority business enterprise participation. The MBE firms, which are proposed as subcontractors, are the following:

	NAME OF FIRM	ADDRESS	TYPE OF WORK
1.			
2.			
3.			

D. The undersigned commits _____% of the total bid price as a subcontract to women business enterprise participation. The WBE firms, which are proposed as subcontractors are the following:

	NAME OF FIRM	ADDRESS	TYPE OF WORK
1.			
2.			
3.			

COST FOR PRODUCT AND COST FOR SHIPPING

MUST BE BID SEPARATELY

PRICE PER TON OF PEBBLE LIME ONLY $_____

FREIGHT COST PER TON:

BY TRUCK $ 13.00 PER TON

DEMURRAGE COST $ 0

FREIGHT COST PER TON:

BY RAIL $_____

DEMURRAGE COST $_____

DELIVERY TIME A.R.O. _____

PRICES TO BE FIRM THRU DECEMBER 31, 1989

THE AMERICAN INSTITUTE OF ARCHITECTS

AIA Document A310

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we Gerig Trucking & Leasing, Inc.
(Here insert full name and address or legal title of Contractor)
Fort Wayne, Indiana
as Principal, hereinafter called the Principal, and The Continental Insurance Company
(Here insert full name and address or legal title of Surety)
P.O. Box 173
New Albany, Indiana 47150
a corporation duly organized under the laws of the State of New Hampshire
as Surety, hereinafter called the Surety, are held and firmly bound unto City of Fort Wayne, Indiana
(Here insert full name and address or legal title of Owner)

as Obligee, hereinafter called the Obligee, in the sum of five percent of the amount bid

Dollars ($ 5% of bid),

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for Delivery of High Calcium Quick Lime.
(Here insert full name, address and description of project)

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 22nd day of November 19 88

Gerig Trucking & Leasing, Inc.
(Principal) (Seal)

Doug Hoover
(Witness)

Kerry J. French (Title) V.P. of Operations

The Continental Insurance Company
(Surety) (Seal)

(Witness)

John R. Manus (Title) Attorney-In-Fact

The Continental Insurance Company

180 Maiden Lane, New York, New York 10038

GENERAL POWER OF ATTORNEY

Know all men by these Presents, That THE CONTINENTAL INSURANCE COMPANY has made, constituted and appointed, and by these presents does make, constitute and appoint

John B. Manus of New Albany, Indiana

its true and lawful attorney, for it and in its name, place, and stead to execute on behalf of the said Company, as surety, bonds, undertakings and contracts of suretyship to be given to

All Obligees

provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed in amount the sum of

Ten Million ($10,000,000) Dollars

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company on the 1st day of November, 1977:

"RESOLVED, that the Chairman of the Board, the Vice Chairman of the Board, the President, an Executive Vice President or a Senior Vice President or a Vice President of the Company, be, and that each or any of them is, authorized to execute Powers of Attorney qualifying the attorney named in the given Power of Attorney to execute in behalf of the Company, bonds, undertakings and all contracts of suretyship, and that an Assistant Vice President, a Secretary or an Assistant Secretary be, and that each or any of them hereby is, authorized to attest the execution of any such Power of Attorney, and to attach thereto the seal of the Company

FURTHER RESOLVED, that the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached."

In Witness Whereof, THE CONTINENTAL INSURANCE COMPANY has caused its official seal to be hereunto affixed, and these presents to be signed by one of its Vice Presidents and attested by one of its Assistant Vice Presidents this 4th day of June, 1984.

THE CONTINENTAL INSURANCE COMPANY

Attest:

By Michael J. Beernaert

T.H. Stephens, Assistant Vice President

Michael J. Beernaert, Vice-President

STATE OF NEW JERSEY }
COUNTY OF MIDDLESEX } ss.:

On this 4th day of June, 1984, before me personally came Michael J. Beernaert, to me known, who being by me duly sworn, did depose and say that he is a Vice President of THE CONTINENTAL INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he knows the seal of the said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.

MARILYN A. HOCKENBURY NOTARY PUBLIC NEW JERSEY

Marilyn A. Hockenbury
A Notary Public of New Jersey
My Commission Expires June 23, 1988

CERTIFICATE

I, the undersigned, an Assistant Vice President of THE CONTINENTAL INSURANCE COMPANY, a New Hampshire corporation, DO HEREBY CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore that the Resolution of the Board of Directors, set forth in the said Power of Attorney, is now in force.

Signed and sealed at Piscataway, in the State of New Jersey. Dated the 22nd day of November, 19 88.

James M. Keane

James M. Keane, Assistant Vice President

Prescribed by the State Board of Accounts

Form No. 95 (Revised 1987)

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

Date: 11-14-88

1. Governmental Unit: City of Fort Wayne
2. County: ALLEN
3. Bidder (Firm): GERIG'S TRUCKING & LEASING, INC.
   Address: 3909 Limestone Drive
   City/State: Ft. Wayne, Indiana
4. Telephone Number: (219) 747-2725
5. Agent of Bidder (If applicable): KERRY J. FRENCH V.P. OF OPERATIONS

Pursuant to notices given, the undersigned offers bid(s) to City of Ft. Wayne (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

Kerry J. French V.P. OF OPERATIONS
Signature of Bidder or Agent

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
) SS:
ALLEN COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

GERIG'S TRUCKING & LEASING, INC.
Bidder (Firm)

Kerry J. French V.P. OF OPERATIONS
Signature of Bidder or Agent

Subscribed and sworn to before me this 10th day of NOV., 1988.

My Commission Expires: FEB 11, 1991

County of Residence: ALLEN

James C Furry
Notary Public

JAMES C. FURRY
Notary Public Printed Name

ACCEPTANCE

Read the first time in full and on motion by Burns, seconded by Johnson, and duly adopted, read the second time by title and referred to the Committee on City Utilities (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, ~~City-County~~ Building, Fort Wayne, Indiana, on ____, the ____, day of ____, 19____, at ____ o'clock ____.M.,E.S.T.

DATED: 12-27-88

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by GiaQuinta, seconded by Bradbury, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	7			2
BRADBURY	✓			
BURNS	✓			
GiaQUINTA	✓			
HENRY	✓			
LONG	✓			
REDD	✓			
SCHMIDT				✓
STIER				✓
TALARICO	✓			

DATED: 1-10-89

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ ~~(GENERAL)~~ (SPECIAL) ~~(ZONING~~ MAP) ORDINANCE ~~RESOLUTION~~ NO. S-13-89 on the 10th day of January, 19 89,

ATTEST: Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

SEAL
Charles S. Redd
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of January, 19 89, at the hour of 11:00 o'clock A.M.,E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 15th day of January, 19 89 at the hour of 4:00 o'clock P.M.,E.S.T.

DIGEST SHEET

S-88-12-38

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Reference No. 858 with respect to the purchase of pebble lime for the Filtration Plant for 1989. The cost reflects the lowest and most responsible vendor.

EFFECT OF PASSAGE: Chemical purchase for treating drinking water.

EFFECT OF NON-PASSAGE: Without the purchase of this we would not be able to treat water for drinking purposes.

MONIES INVOLVED: Marblehead Lime $592200.00+/-
Gerig's Trucking $183300.00+/-

SOURCE OF FUNDING: Filtration Plant
Fund Line: 513-523-W154-4251
Fund Line: 513-523-6753-4321

BILL NO. S-88-12-38

REPORT OF THE COMMITTEE ON CITY UTILITIES

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving the awarding of Reference #858 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Marblehead Lime Company and Gerig's Trucking & Leasing, Inc. for the Water Filtration Plant

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) (~~RESOLUTION~~)

YES		NO
Mark E. GiaQuinta	MARK E. GiaQUINTA CHAIRMAN	
Thomas C. Henry	THOMAS C. HENRY VICE CHAIRMAN	
David C. Long	DAVID C. LONG	
	PAUL M. BURNS	
Samuel J. Talarico	SAMUEL J. TALARICO	

CONCURRED IN 1-3-89

Sandra E. Kennedy

Sandra E. Kennedy
City Clerk